

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE GOPINATH P.

SATURDAY, THE 30TH DAY OF SEPTEMBER 2023 / 8TH ASWINA, 1945

CRL.MC NO. 7398 OF 2023

**AGAINST THE ORDER/JUDGMENT CC 809/2017 OF JUDICIAL MAGISTRATE OF
FIRST CLASS ,PARAPPANANGADI**

PETITIONER/ACCUSED NOS.1 AND 2:

- 1 PRABHA MURALI, AGED 48 YEARS
S/O. PARAMESWARAN, AGED 48 YEARS, THEKKUVEETIL HOUSE,
EDIMUZHICKAL THERU, CHELEMBRA P.O., MALAPPURAM
DISTRICT, PIN - 673634
- 2 KARTHYAYANI, AGED 68 YEARS
W/O. PARAMESWARAN, AGED 68 YEARS, THEKKUVEETIL HOUSE,
EDIMUZHICKAL THERU, CHELEMBRA P.O., MALAPPURAM
DISTRICT, PIN - 673634
BY ADV K.RAKESH

RESPONDENT/STATE AND DE FACTO COMPLAINANT:

- 1 STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA,
ERNAKULAM, KOCHI, PIN - 682031
- 2 THE STATION HOUSE OFFICER
THENHIPALAM POLICE STATION, MALAPPURAM DISTRICT, PIN -
673636
- 3 RANJU K
AGED 36 YEARS
D/O. HARIDASAN, AGED 36 YEARS, MYLANGOTTUPARAMBIL
HOUSE, AIKKARAPADI P.O., MALAPPURAM DISTRICT, PIN -
673637

SRI.NOUSHAD KA ,PP
SRI. K.S. PRAVEEN

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON
30.09.2023, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Petitioners are the accused in Crime No.210/2017 of Thenhipalam police station, Malappuram district, which is now pending as C.C. No.809/2017 on the file of the Judicial First Class Magistrate Court, Parappanangadi, alleging commission of offences punishable under Sections 406 and 498A r/w. Section 34 of the Indian Penal Code.

2. Learned counsel appearing for the petitioners would submit that the entire issues between the petitioner and the 3rd respondent (the *de facto* complainant) have been settled. Learned counsel appearing for the petitioners also refers to Annexure-B affidavit executed by the 3rd respondent to establish that the entire issues between the petitioners and the 3rd respondent have been settled and the 3rd respondent does not intend to continue with the proceedings against the petitioners.

3. Learned Public Prosecutor and the learned counsel appearing for the 3rd respondent affirms that the entire disputes between the petitioners and the 3rd respondent have been settled and that the 3rd respondent does not wish to continue with the proceedings against the petitioners.

4. Having heard the learned counsel appearing for the petitioners, learned Public Prosecutor and the learned counsel appearing for the 3rd respondent, I am of the view that this Crl.M.C. can be allowed on the ground of settlement. There is no public interest involved in continuing the proceedings against the petitioner. Therefore, in exercise of the jurisdiction vested in this Court under Section 482 of the Code of Criminal Procedure, further proceedings against the petitioner can be quashed on the ground of settlement.

Accordingly, the Crl.M.C is allowed and all further proceedings in C.C. No.809/2017 on the file of the Judicial First Class Magistrate Court, Parappanangadi (arising out of Crime No.210/2017 of Thenhipalam police station) will stand quashed as against the petitioners.

Sd/-

GOPINATH P .

JUDGE

APPENDIX OF CRL.MC 7398/2023

PETITIONER ANNEXURES

Annexure A	A CERTIFIED COPY OF THE FINAL REPORT IN CRIME NO.210/2017 OF THE THENHIPALAM POLICE STATION
Annexure B	AFFIDAVIT EXECUTED BY THE 3RD RESPONDENT DATED 08-09-2023